

AMENDMENTS TO THE DRAWINGS

Applicants hereby submit New Figure 15. Applicants further submit that Figure 15 does not constitute new matter.

ATTACHMENT: New Drawing

REMARKS

Claims 1, 11, 12, 21 and 22 have been examined. Claims 1, 21 and 22 have been rejected under 35 U.S.C. § 112, first and second paragraphs, claims 1, 11, 12, 21 and 22 have been rejected under 35 U.S.C. § 102(e) and claims 1, 21 and 22 have been rejected under 35 U.S.C. § 102(b).

I. Rejections under 35 U.S.C. § 112, first paragraph

The Examiner has rejected claims 1, 21 and 22 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

Basically, in regard to claim 1, the Examiner continues to maintain that the specification discloses projections formed on the inside surface of a cover to correspond to electrodes of a battery, but does not disclose that projections are formed on the outside surface of a cover to correspond to the electrodes. On pages 4 and 5 of the current Office Action, the Examiner maintains that the ribs only appear to be parallel with ribs on the inside of the cover. In this regard, the Examiner refers to figure 8. Further, the Examiner maintains that it is unclear how the ribs 2 shown in Figures 1 and 2 correspond to the electrodes shown in Figure 4. Based on the Examiner's comments, it appears that the Examiner is only looking to the figures for support of the claimed subject matter. This is in error. The Examiner has disregarded the specific teaching on page 19, lines 5-8 of the Application. The cited portion specifically discloses, "[t]he ribs 2, 4 and 5 are formed so as to be disposed at positions corresponding to the externally-threaded type electrodes of the batteries." Accordingly, support for the claimed feature is explicitly provided in the Application.

Although no drawing objection has been set forth, Applicants hereby submit new FIG. 15, which is similar to figure 1, but that shows the interaction between the ribs 2 and the

electrodes of a battery (i.e., that the ribs are in positions that correspond to the electrodes).

Applicants submit that the figure is being provided due to the Examiner's apparent insistence that the feature be shown in the figures although no drawing objection has been set forth. In view of the explicit support provided on page 19, lines 5-8 of the Application, Applicants submit that the new figure does not constitute new matter.

II. Rejections under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 1, 21 and 22 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

In regard to claim 1, the Examiner appears to have clarified her position from the last Office Action. In particular, the Examiner maintains that the claims are only directed to the cover and not to the cover and battery. Therefore, the positional relationship between the ribs of the cover and the electrodes of the battery is deemed to render the claim indefinite.

Applicants hereby amend claim 1 in order to cure the noted deficiency.

III. Rejections under 35 U.S.C. § 102(e) in view of U.S. Patent No. 6,275,003 to Marukawa et al. ("Marukawa")

The Examiner has rejected claims 1, 11, 12, 21 and 22 under 35 U.S.C. § 102(e) as allegedly being anticipated by Marukawa.

The filing date of Marukawa (i.e. June 8, 2000) is after the filing date (i.e. May 25, 2000) of Applicants' foreign priority document (JP 2000-155232). In addition, it appears that Marukawa's priority documents, JP 11-163336 and JP 12-081103, were published less than one year prior to the filing of the parent application (09/863,458) to the current Application. Accordingly, Applicants hereby remove Marukawa as a prior art reference by perfecting the claim to foreign priority.

Submitted herewith is a verified English translation of JP 2000-155232. Applicants submit that JP 2000-155232 provides support under 35 U.S.C. § 112, first paragraph, for claims 1, 11, 12, 21 and 22 of the present application. Accordingly, Applicants hereby respectfully request withdrawal of the rejection.

IV. Rejections under 35 U.S.C. § 102(b) in view of U.S. Patent No. 4,400,449 to Henk ("Henk")

The Examiner has rejected claims 1, 21 and 22 under 35 U.S.C. § 102(b) as allegedly being anticipated by Henk.

A. Claim 1

Applicant submits that claim 1, as amended, is patentable over the cited reference. For example, amended claim 1 recites that the plurality of shock-absorbing ribs are formed so as to be disposed at positions respectively corresponding to positions of a plurality of electrodes of the at least one battery.

In the Examiner's rejection of claim 1, the Examiner has not discussed the above feature. Due to the rejection under 35 U.S.C. § 112, first paragraph, the Examiner appears to have disregarded this feature. However, Applicants submit that the features are fully supported by the specification, and based on the amendment to claim 1, are to be given patentable weight. Since Henk fails to teach or suggest that the ribs 53 are provided at positions corresponding to positions of electrodes of a battery, Applicant submits that claim 1 is not anticipated by the reference.

B. Claims 21 and 22

Since claims 21 and 22 are dependent upon claim 1, Applicants submit that such claims are patentable at least by virtue of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

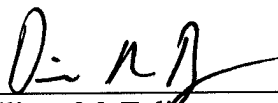
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

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CUSTOMER NUMBER

for  **#59,561**
Allison M. Tulino
Registration No. 48,294

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